

**RESPONSIBILITY TO
RECEIVE AND
INVESTIGATE
COMPLAINTS**

The Michigan Child Protection Law stipulates that the department is the appropriate point for receipt of **all** complaints of child abuse or neglect, as defined in the Child Protection Law. The department must take and transfer certain complaints to other counties or agencies that have the jurisdiction and ability to investigate them. Examples are:

1. Those allegedly perpetrated by a teacher, teacher's aide, or member of the clergy are to be transferred to the appropriate local law enforcement agency.
2. Those in which the alleged victim is located in another county or state are to be transferred to that jurisdiction.
3. Those that allegedly occurred in certain child-caring homes, centers or children's camps are to be transferred to the Bureau of Community and Health Systems (BCHS); see PSM 716-9.

Individuals making complaints to CPS of behavior or activities which include no allegation or suggestion of child abuse or neglect are to be advised (and assisted, if necessary) to file their complaint directly with other appropriate agencies (for example, law enforcement, mental health, schools, Friend of the Court, etc.) who have the authority and ability to respond. Examples are:

1. Complaints of failure to pay child support.
2. Squabbling/fighting among unrelated schoolmates.
3. A case in which the alleged victim is over 18 years of age and there are no younger siblings.

Although the department is the designated reporting point, the law also permits citizens to make complaints directly to law enforcement. If such complaints are determined appropriate only for investigation by law enforcement, there is no requirement for law enforcement to notify CPS.

Every complaint received alleging child abuse and/or neglect is to be assessed to determine appropriateness for acceptance for investigation by CPS or for referral to the prosecuting attorney or law enforcement. Centralized intake (CI) staff are responsible for making the determination for assignment after the initial screening (including a preliminary investigation) and then forwarding the com-

plaint to the county of assignment. The county is responsible for forwarding the referral to the prosecuting attorney or law enforcement if the complaint is assigned. If the complaint is rejected or transferred, CI is responsible for the transfer to law enforcement or the prosecuting attorney. If the department's investigation reveals that the alleged perpetrator is not a person responsible for the health or welfare of the child, a referral is to be made to the appropriate law enforcement agency along with a copy of the written report and the results of any investigation.

Child abuse or neglect incidents reported directly to law enforcement and determined by them to have been committed by a person responsible for the health or welfare of the child must be referred to the department with a copy of the written report and the results of any investigation.

Both the department and law enforcement are required upon receipt of a complaint of child abuse or neglect to either commence an investigation or refer to the appropriate authority within 24 hours.

ASSIGNMENT DISPUTES

The local MDHHS office may disagree with an assignment and the local supervisor may contact a CI supervisor in the following limited circumstances:

- Technical error.
- Complaint is on an ongoing case and the worker has entered more information into MiSACWIS that would eliminate the need for complaint investigation.
- The county has additional information that should be added to the complaint or is believed to be new information.

Note: The county director or designee may contact the second-line CI manager or director to discuss assignment disputes. CI is responsible for the final decision on the assignment of complaints.

Local MDHHS offices are responsible for transferring assignments from county to county. Disputes between counties should be resolved by the involved county directors with the Business Service Center directors involvement, if necessary.

**REJECTION
DISPUTES**

The local MDHHS office may contact Centralized Intake if they disagree with a rejection due to additional information known to the county staff.

Note: The local county office director or designee may contact the second-line CI manager or director to discuss rejection disputes. CI will make the final decision on assignment of complaints.